

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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UNITED STATES OF AMERICA, *et al.*  
*ex rel.* SAPF, LLC and BRIAN BROUSSEAU

Plaintiffs,

v.

Civil Action No. 16-5203

AMGEN LLC, ASHFIELD HEALTHCARE LLC,  
UDG HEALTHCARE, ACCREDO SPECIALTY  
PHARMACY, EXPRESS SCRIPTS HOLDING  
COMPANY, UNITEDBIOSOURCE  
CORPORATION, MCKESSON CORPORATION,  
INVENTIV HEALTH INC., AND THE LASH  
GROUP,

Defendants.

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**DECLARATION OF BRIAN J. McCABE IN SUPPORT OF THE UNITED STATES'  
MOTION TO DISMISS RELATORS' COMPLAINT**

I, Brian J. McCabe, make the following declaration:

1. I am a Trial Attorney with the United States Department of Justice, Civil Division, Commercial Litigation Branch. I have personal knowledge of the matters discussed in this declaration.

2. Attached hereto as Exhibit A is a true and correct copy of an email I received on September 26, 2018, from Marc Mukasey, counsel for Venari Partners LLC d/b/a National Health Care Analysis Group ("NHCA Group"). The email message has been redacted to eliminate references to certain proceedings that remain under seal.

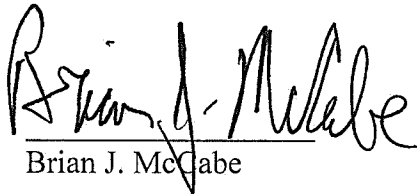
3. On September 27, 2018, I met with John Mininno, appearing on behalf of NHCA Group, and counsel representing NHCA Group. The meeting was held at my office, located at

175 N Street, N.E., Washington, D.C. 20002. During the meeting, Mr. Mininno confirmed that Venari Partners LLC is a limited liability corporation that was formed by four separate corporate entities, which were themselves formed by six different individual investors, the majority of whom formerly or presently work in the banking or finance industry.

4. Attached hereto as Exhibit B is a graphical depiction prepared by the Department of Justice illustrating the relator's corporate structure and affiliation with other corporate relators formed by NHCA Group.

5. Attached hereto as Exhibits C-1 through C-3 are true and correct copies of excerpts from exemplar transcripts of witness interviews conducted by NHCA Group. The witnesses' names have been redacted.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 17<sup>th</sup> day of December, 2018.

  
Brian J. McCabe